

### REMARKS/ARGUMENTS

The Examiner's Action of May 21, 2004, has been received and reviewed by counsel for Assignee. In the Action the Examiner requested an amendment to the title, and with this response a new title is provided.

The Examiner also rejected claims 1-7, 10 and 12 under 35 U.S.C. § 102(b) as anticipated by *Ohshima, et al.* (U.S. 4,998,256). Claims 11, 13 and 19 were rejected under Section 103 based upon the same reference. Claims 8, 9 and 20 were objected to as dependent upon a rejected base claim, but indicated as being allowable if rewritten in independent form. Claims 14-18 were found allowable.

By this response counsel has amended independent claims 1 and 2 in a manner believed to overcome the rejections. In particular, each of claims 1 and 2 have been amended to require that the center of the lens be offset from the center of the beam emitted from the semiconductor laser. Claim 19 has been amended in a manner similar to that of claims 1 and 2 to clarify the claimed invention. This feature of Applicants' invention is shown in Figure 7, and discussed in page 17 of the specification. (This feature is also claimed in allowed claim 14.) The importance of this feature is discussed next.

Generally, in the manufacture or assembly of an optical module, a variety of steps are done in a specific sequence. These typically include mounting the semiconductor laser, mounting the lens, mounting a light-receiving element, and mounting an etalon. The etalon typically has a working error in thickness so that the light beam wavelength of the light detected varies depending upon the angle of incidence of the light. The normal solution for obviating this problem is to adjust the angle of incidence.

The prior art *Ohshima, et al.*, '256 patent teaches inclining or slanting the etalon. This reference, however, does not teach or disclose shifting the center of the beam emitted from the laser away from the center of the beam-converting lens. As a result, it is not possible to prevent a reflected beam at the lens. In addition, the angle adjustment for adjusting to the wavelength of the beam to be detected and the angle adjustment for preventing the return beam must be performed simultaneously. This makes the assembly of the product difficult and time consuming to maintain the proper alignment.

The present invention, however, at the time of mounting the lens allows the center of the beam-converting lens to be shifted or offset from an optical axis or the beam

center of the laser beam. This helps prevent reflected light from the glass. It further enables that at the step of mounting the etalon, the only angular adjustment necessary is adjusting to the wavelength of the beam to be detected. Consequently, the assembly is simplified, and the invention provides the advantage of simplifying the assembly of the optical module.

Claim 14 was allowable and already includes a limitation similar to that introduced into claims 1 and 2. Claim 14 requires that "a center of each of the beams is not incident upon a center of a light-receiving portion...."

The Examiner's comment with respect to objected claims 8, 9 and 20 is appreciated. The amendments to claims 1 and 2 are believed to also place claims 8, 9 and 20 in condition for allowance without need for further amendment to those claims.

Accordingly, counsel believes all claims now presented for examination patentably distinguish the cited art, and are in condition for allowance.

If the Examiner believes a telephone conference would expedite prosecution of this application, he is invited to telephone the undersigned at 650-326-2400.

Respectfully submitted,



Robert C. Colwell  
Reg. No. 27,431

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 415-576-0300  
RCC:mks  
60313622 v1